



## City of Seattle

Edward B. Murray, Mayor

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### Department of Planning and Development

D. M. Sugimura, Director

## CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

**Application Number:** 3020963

**Applicant Name:** Kym Williams for Central Puget Sound Regional Transit Authority ("Sound Transit")

**Address of Proposal:** 9560 1<sup>st</sup> Avenue NE

### **SUMMARY OF PROPOSED ACTION**

Land Use Application to demolish retail buildings in support of Link Light Rail Northgate Station construction. Related project under 3016104 (Northgate Station). Final Supplemental Environmental Impact Statement (April 2006) prepared by Sound Transit.

The following approvals are required:

**SEPA – to approve condition or deny pursuant to SMC 25.05.660.**

**SEPA DETERMINATION:** ☐ Exempt ☐ DNS ☐ MDNS ☒ EIS\*

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition or another agency with jurisdiction.

### **BACKGROUND DATA**

#### *Site Location and Zoning*

The project site is located in the Northgate neighborhood on the east side of 1<sup>st</sup> Avenue NE south of NE 100<sup>th</sup> Street. The majority of the site is zoned Neighborhood Commercial 3 with an 85-foot height limit (NC3-85) within the Northgate Urban Center Village; a small portion of the site south of the buildings to be demolished is zoned NC3 with a 65-foot height limit (NC3-65).

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\* Final Environmental Impact Statement issued by Central Puget Sound Regional Transit Authority in November of 1999. North Link Final Supplemental Environmental Impact Statement issued April 2006.

*Existing Site Conditions*

The site includes three retail buildings and surface parking. The two buildings to be demolished are 10,154 sf and 6,625 sf; a 9,938 sf building to the south of the other two is not proposed for demolition. A total of ten businesses are located on the site.

*Development and Zoning in the Vicinity*

The NC3-85 zoning extends to the east of the site, with NC3-125 to the north and NC3-65 to the south. Nearby land uses include a variety of retail and office structures; the King County Northgate Transit Center is located directly north of the site. Interstate 5 is located to the west of 1<sup>st</sup> Avenue NE; North Seattle Community College is located to the west of I-5, and zoned MIO-105-LR3.

*Description of Proposal*

The project would demolish two existing retail buildings on the site, as part of future use of the site for temporary construction staging and parking (reviewed under Master Use Permit #3016104). This construction staging area is a component of Sound Transit's Northgate Link Extension Light Rail project.

**Public Comments**

The public comment period for MUP #3016104 ended April 26, 2015; no comments were received.

**ANALYSIS – SEPA**

Sound Transit issued the Central Link FEIS in November of 1999 and the North Link FSEIS in April 2006. Sound Transit has lead agency status on this project, and the Director hereby incorporates by reference its November 1999 Central Link FEIS and the April 2006 North Link FSEIS. The information in the EIS documents, supplemental information provided by the applicant (plans, further project descriptions), and the experience of the City with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) establishes the relationship among codes, policies, and environmental review. Specific policies for specific elements of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part:

"[W]here City regulations have been adopted to address an environmental impact; it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations).

The Director hereby incorporates by reference the mitigation measures described in the Federal Transit Administration Record of Decision (ROD) for the North Link Light Rail Transit Project (June 2006) and mitigation measures included in Attachment C of the ROD. These mitigation commitments were identified in the North Link FSEIS. Under certain limitations/circumstances (SMC 25.05.665 D 1-7) additional mitigation can be considered. Thus, a more detailed discussion of some of the impacts is cited below.

### Short - Term Impacts

The following temporary or construction-related impacts are expected:

- Decreased air quality due to suspended particulates (dust) from demolition, hydrocarbon emissions and greenhouse gas emissions from construction vehicles and equipment.
- Increased traffic from demolition equipment and personnel;
- Increased noise and vibration; and,
- Consumption of renewable and non-renewable resources.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); the Building Code (construction measures in general); and the Noise Ordinance (construction noise). Compliance with these applicable codes and ordinances will reduce or eliminate most of the short-term impacts to the environment. Other impacts are further discussed below.

### Air Quality

The indirect impact of demolition activities including worker commutes, truck trips, and the operation of demolition equipment and machinery results in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project and therefore air quality mitigation is not necessary. Possible asbestos has been identified on the site; it would be mitigated by a certified asbestos removal contractor under permit from the Puget Sound Clean Air Agency.

### Traffic and Parking

Traffic associated with the demolition may increase congestion in the area. The ROD notes that “mitigation measures will comply with local regulations governing construction traffic control and construction truck routing. Sound Transit will finalize detailed construction mitigation plans in coordination with local jurisdictions, WSDOT, King County Metro, the University of Washington, and other affected agencies and organizations” (p. C-14). As necessary, Sound Transit will follow standard construction safety measures, such as installation of advance warning signs, highly visible construction barriers, and the use of flaggers. SDOT will review and approve any work in the right-of-way as part of a Street Use Permit. No on-street parking spaces are expected to be impacted by the proposed demolition work.

No additional conditioning beyond that identified in the ROD is warranted to mitigate short-term traffic or parking impacts.

### Noise

The North Link FEIS concluded that, with mitigation, demolition during the day would not exceed the noise levels in the Noise Control Ordinance. Noise mitigation measures may include, but are not limited to, limiting tonal alarms, installing broadband alarms on trucks and other construction vehicles, and limiting work to daytime hours.

### Long-term Impacts

No long-term impacts are anticipated from the demolition of these two structures.

### **DECISION - SEPA**

Environmental impacts for the proposal were identified and analyzed in the FEIS and FSEIS issued by Sound Transit. While DPD has the authority to mitigate impact pursuant to the city's SEPA practices, existing City codes and regulations are adequate to achieve sufficient mitigation for the proposal's environmental impacts. Therefore, no additional SEPA conditions are required and the proposal is **APPROVED**.

Signature: Betty Galarosa for Date: August 13, 2015  
John Shaw, Senior Transportation Planner  
Department of Planning and Development

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## **IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT**

### Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered "approved for issuance". (If your decision is appealed, your permit will be considered "approved for issuance" on the fourth day following the City Hearing Examiner's decision.) Projects requiring a Council land use action shall be considered "approved for issuance" following the Council's decision.

The "approved for issuance" date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at [prc@seattle.gov](mailto:prc@seattle.gov) or to our message line at 206-684-8467.